

Historic, archived document

Do not assume content reflects current scientific knowledge, policies, or practices.

LEGISLATIVE HISTORY

Public Law 87-272

S. J. Res. 98

TABLE OF CONTENTS

Index and summary of S. J. Res. 98	1
Digest of Public Law 87-272.	2

INDEX AND SUMMARY OF S. J. RES. 98

- Jun. 7, 1961 Sen. Curtis and others introduced S. J. Res. 98 which was referred to the Senate Judiciary Committee. Print of bill as introduced.
- Rep. Weaver introduced H. J. Res. 442 which was referred to the House Judiciary Committee. Print of bill as introduced and remarks of author.
- Aug. 8, 1961 Senate committee reported S. J. Res. 98 without amendment. S. Report No. 679. Print of bill and report.
- Aug. 14, 1961 Senate passed S. J. Res. 98 without amendment.
- Aug. 15, 1961 S. J. Res. 98 was referred to the House Judiciary Committee. Print of bill as referred.
- Aug. 22, 1961 House committee voted to report (but did not actually report) S. J. Res. 98.
- Aug. 23, 1961 House committee reported S. J. Res. 98 without amendment. H. Report No. 1017. Print of bill and report.
- Sept. 6, 1961 House passed S. J. Res. 98 without amendment.
- Sept. 22, 1961 Approved: Public Law 87-272.

DIGEST OF PUBLIC LAW 87-272

HOMESTEAD ACT CENTENNIAL, 1962. Requests the President to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act and calls upon the Governors of the States, mayors of cities, and other public officials to observe such centennial by appropriate celebrations and ceremonies.

H. R. 7535, by Rep. Olsen, to stabilize the mining of lead and zinc in the United States; to Ways and Means Committee.

28. HOMESTEADS. ~~S. 2027, by Sen. Curtis (for himself and others), and H. R. 7539, by Rep. Weaver, to provide for the issuance of a special series of postage stamps in commemoration of the 100th anniversary of the enactment of the Homestead Act; to S. and H. Post Office and Civil Service Committees. Remarks of Sen. Curtis. pp. 9013-4~~

S. J. Res. 98, by Sen. Curtis (for himself and others), and H. J. Res. 442, by Rep. Weaver, to provide for the observance of the centennial of the enactment of the Homestead Act; to S. and H. Judiciary Committees. Remarks of Rep. Weaver. pp. 9013-4

29. YOUTH CONSERVATION. S. 2036, by Sen. Humphrey, H. R. 7536 by Rep. Perkins, and H. R. 7541, by Rep. Blatnik, to authorize pilot training and employment programs for youth including on-the-job and other appropriate training, local public service programs, and conservation programs; to ^{House} Education and Labor Committee and Senate Labor and Public Welfare Committee. Remarks of Sen. Humphrey. pp. 9018-20. Remarks of Rep. Perkins. p. 9002-3

30. LIBRARIES. S. 2029, by Sen. Lausche, to revise the laws relating to depository libraries; to Rules and Administration Committee. Remarks of author. p. 9015

31. WEIGHTS AND MEASURES. S. 2030, by Sen. Neuberger, to provide that the Secretary of Commerce shall conduct a study to determine the desirability and practicability of the adoption by the United States of the metric system of weights and measures; to Commerce Committee. Remarks of author. p. 9015

32. RESEARCH. H. R. 7538, by Rep. Short, to provide for the establishment of a spring wheat quality research laboratory in the State of North Dakota; to Agriculture Committee.

33. ORGANIZATION. H. Res. 328, by Rep. Monagan, disapproving Reorganization Plan No. 5 transmitted to Congress by the President on May 24, 1961; to Government Operations Committee.

PRINTED HEARING RECEIVED IN THIS OFFICE

34. FARM PROGRAM. H. R. 6400, part 2, title I, Agricultural Enabling Amendments Act of 1961. H. Agriculture Committee.

-0-

COMMITTEE HEARINGS ANNOUNCEMENTS:

June 8: Foreign aid bill, S. Foreign Relations and H. Foreign Affairs.
Amendment of Farm Credit Act, H. Agriculture.

oOo

H.R. 2457. An act to amend title V of the Merchant Marine Act, 1936, in order to clarify the construction subsidy provisions with respect to reconstruction, reconditioning, and conversion, and for other purposes (Rept. No. 852).

By Mr. KERR, from the Committee on Public Works, with amendments:

S. 120. A bill to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control (Rept. No. 353).

ADDITIONAL FUNDS FOR COMMITTEE ON COMMERCE

Mr. MAGNUSON, from the Committee on Commerce, reported an original resolution (S. Res. 156) to provide additional funds for the Committee on Commerce, which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Commerce is authorized to expend from the contingent fund of the Senate, during the Eighty-seventh Congress, for the purposes specified in section 134(a) of the Legislative Reorganization Act of 1946, \$10,000 in addition to the amount authorized in such section.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 2026. A bill to provide assistance for certain landless Indians in the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. CURTIS (for himself, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr. KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCGEE, Mr. GRUENING, and Mr. DIRKSEN):

S. 2027. A bill to provide for the issuance of a special series of postage stamps in commemoration of the 100th anniversary of the enactment of the Homestead Act; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. LAUSCHE (for himself and Mr. McCLELLAN):

S. 2028. A bill to amend section 303 of the Defense Production Act of 1950, as amended, by providing for access to contractors' records by the Comptroller General; to the Committee on Banking and Currency.

By Mr. LAUSCHE:

S. 2029. A bill to revise the laws relating to depository libraries; to the Committee on Rules and Administration.

(See the remarks of Mr. LAUSCHE when he introduced the above bills, which appear under separate headings.)

By Mrs. NEUBERGER:

S. 2030. A bill to provide that the Secretary of Commerce shall conduct a study to

determine the desirability and practicability of the adoption by the United States of the metric system of weights and measures; to the Committee on Commerce.

(See the remarks of Mrs. NEUBERGER when she introduced the above bill, which appear under a separate heading.)

By Mr. CLARK:

S. 2031. A bill to exempt from coverage under the old-age, survivors, and disability insurance program self-employed individuals who hold certain religious beliefs; to the Committee on Finance.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

S. 2032. A bill consenting to the amendment of the compact between the States of Pennsylvania and Ohio relating to Pymatuning Lake; to the Committee on the Judiciary.

By Mr. RUSSELL (for himself and Mr. TALMADGE):

S. 2033. A bill to amend section 90 of title 28, United States Code, so as to provide for a new division within the Northern Judicial District of the State of Georgia, and for other purposes; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2034. A bill to amend the Communications Act of 1934, as amended, in order to expedite and improve the administrative process by authorizing the Federal Communications Commission to delegate functions in adjudicatory cases, repealing the review staff provisions, and revising related provisions; and

S. 2035. A bill to provide that section 315 of the Communications Act of 1934 shall not apply to candidates for the offices of President and Vice President of the United States, U.S. Senator and Representative, and Governor of any State; to the Committee on Commerce.

(See the remarks of Mr. PASTORE when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. HUMPHREY:

S. 2036. A bill to authorize pilot training and employment programs for youth including on-the-job and other appropriate training, local public service programs, and conservation programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2037. A bill to amend the Interstate Commerce Act and certain supplementary and related acts with respect to the requirement of an oath for certain reports, applications, and complaints filed with the Interstate Commerce Commission; and

S. 2038. A bill to create the National Capital Airports Corporation, to provide for operation of the federally owned civil airports in the District of Columbia or its vicinity by the Corporation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. MAGNUSON:

S. 2039. A bill to direct the Secretary of Commerce to undertake studies of the economic effects of deactivating certain permanent military installations situated in areas of substantial unemployment; to the Committee on Commerce.

By Mr. KUCHEL:

S. 2040. A bill for the relief of Zenzaburo Yasuda; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 2041. A bill for the relief of Triantafilla Swteriou Zougias; to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr. KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCGEE, Mr. JOHNSTON, Mr. GRUENING, and Mr. DIRKSEN):

S.J. Res. 98. Joint resolution to provide for the observance of the centennial of the enactment of the Homestead Act; to the Committee on the Judiciary.

(See the remarks of Mr. CURTIS when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S.J. Res. 99. Joint resolution to commemorate the 75th anniversary of the Interstate Commerce Commission; to the Committee on the Judiciary.

(See the remarks of Mr. MAGNUSON when he introduced the above joint resolution, which appear under a separate heading.)

RESOLUTION

ADDITIONAL FUNDS FOR COMMITTEE ON COMMERCE

Mr. MAGNUSON, from the Committee on Commerce, reported an original resolution (S. Res. 156) to provide additional funds for the Committee on Commerce, which, under the rule, was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Reports of Committees.")

COMMEMORATION OF 100TH ANNIVERSARY OF ENACTMENT OF THE HOMESTEAD ACT

Mr. CURTIS. Mr. President, in 1962, we shall observe the 100th anniversary of the enactment of the Homestead Act. A great many historians of considerable prominence and authority have declared that the Homestead Act was the finest act ever passed by a legislative body in order to place public lands in the hands of its citizens.

The Homestead Act has given us a nation of property owners. It was the Homestead Act that built the West. Following the war, the men who wore the blue and those who wore the gray participated in homesteading, and all of them contributed a great part to the building of the West.

Mr. President, I introduce, for appropriate reference, two measures. One is a joint resolution, introduced by me on behalf of myself, my colleague, the senior Senator from Nebraska [Mr. HRUSKA], and Senators BENNETT, BIBLE, BOGGS, BRIDGES, BURDICK, BYRD of Virginia, CAPEHART, CARLSON, CARROLL, COOPER, DWORSHAK, FONG, HICKENLOOPER, HICKEY, HOLLAND, KEFAUVER, MANSFIELD, METCALF, MILLER, MOSS, MUNDT, NEUBERGER, SCHOEPPEL, SYMINGTON, WILEY,

YOUNG of North Dakota, McGEE, JOHNSTON, GRUENING, and DIRKSEN.

This joint resolution calls upon the President to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act, and calls upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, particularly in the States most directly affected by the Homestead Act, to observe such centennial by appropriate ceremonies, and to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

Mr. President, I also introduce, on behalf of myself, my colleague, the senior Senator from Nebraska [Mr. HRUSKA], and Senators BENNETT, BIBLE, BRIDGES, BURDICK, BYRD of Virginia, CAPEHART, CARLSON, CARROLL, COOPER, DWORSHAK, FONG, HICKENLOOPER, HICKEY, HOLLAND, KEFAUVER, MANSFIELD, METCALF, MILLER, MOSS, MUNDT, NEUBERGER, SCHOEPPLE, SYMINGTON, WILEY, YOUNG of North Dakota, McGEE, GRUENING, and DIRKSEN, whose names appear on the measure, a bill directing the Postmaster General to issue a centennial stamp commemorating the 100th anniversary of the Homestead Act.

Mr. President, few measures passed by Congress have had the far-reaching effect of this act, which was passed after many years of debate. It is the cornerstone upon which a great portion of the economy of our country was built. It gave us a class of citizens who were sturdy, industrious, and imbued with self-denial, self-discipline, character, and all the other attributes that have caused us to laud and applaud the pioneers who built our country.

Mr. President, I send the two measures to the desk and ask that they be ultimately referred, but I further ask unanimous consent that they may remain on the desk for a period of 1 week, so that other Senators may join either or both of these measures as cosponsors.

The PRESIDING OFFICER (Mr. METCALF in the chair). The bill and joint resolution will be received and appropriately referred and, without objection, will remain at the desk as requested.

The bill and joint resolution, introduced by Mr. CURTIS (for himself and other Senators), were received, read twice by their titles, and referred, as indicated:

S. 2027. A bill to provide for the issuance of a special series of postage stamps in commemoration of the one-hundredth anniversary of the enactment of the Homestead Act; to the Committee on Post Office and Civil Service.

S.J. Res. 98. Joint resolution to provide for the observance of the centennial of the enactment of the Homestead Act; to the Committee on the Judiciary.

Mr. GRUENING. Mr. President, as a cosponsor of the joint resolution introduced to commemorate passage of the homestead laws, I commend my colleague, the Senator from Nebraska [Mr. CURTIS] on his recognition of the importance to the development of our Nation of the homestead laws. It is en-

tirely fitting that this great American idea for enabling citizens to own their own land receive the attention which will be given it as a result of this proposed legislation.

The homestead laws were not extended to the Territory of Alaska until 1898—36 years after the enactment of the original law, and 31 years after Alaska became a possession of the United States.

Although Alaska did not receive the benefits of this law until much later than the States—a not unusual circumstance for our people with respect to Federal legislation—Alaska homesteaders may well be named among the most valiant of homesteaders anywhere.

I believe Alaska is the only State in the Union where the Homestead Act is still employed to any appreciable extent for the purpose of acquiring land. Considerable numbers of pioneers on the last frontier have obtained a patent to the land of Alaska since the Second World War, and many others are now in the process of doing so. Thus, I think the Homestead Act has greater significance to present-day Alaskans than to citizens of any other State.

I pay tribute to the remarkable energy, perseverance, and vision of those who have homesteaded and are now homesteading in my State. They have the courage, the determination, the stick-to-it-iveness and the vision that made America.

There is nothing easy in acquiring a homestead in Alaska. It is about the hardest, toughest, most demanding work anyone can imagine. Clearing virgin wilderness with scarce and inadequate machinery and under the roughest climatic conditions imaginable takes character and strength of which Americans are proud to boast, and which our Alaskan homesteaders have exhibited and are continuing to exhibit.

But the hardest obstacle which has always been faced by the gallant citizens of the 49th State has been that of struggling with the Federal bureaucracy which, in the case of Alaska homesteaders, has gone out of its way to make things difficult. There is no partisan indictment here. The history of lamentable maladministration of the homestead laws in my State has been a fact of life under both Republican and Democratic regimes. The very nature of the homestead procedures seems to bring out bureaucratic genius for smothering ambition with excessive redtape and needless legalism.

Today, we in Alaska look forward with hope to a new and more effective administration of the homestead laws on the last frontier by the young and vital administrators of the New Frontier. There is considerable evidence that the laws need revision to make a homestead program in Alaska better suited to the world of 1961. Meanwhile, I am hopeful that the Department of the Interior will make every effort to administer the laws of 1862, and of the 1898 law for Alaska in a newly streamlined fashion to meet the needs of 1962, and in the spirit of the New Frontier.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950

Mr. LAUSCHE. Mr. President, on behalf of myself and the Senator from Arkansas [Mr. McCLELLAN] I introduce, for appropriate reference, a bill amending the Defense Production Act of 1950. This amendment provides that the Comptroller General of the United States or any of his duly authorized representatives shall, until the expiration of 3 years after final payment, have access to and the right to examine any directly pertinent books, documents, papers, and records of any contractor or any of his subcontractors engaged in the performance of contracts negotiated under section 303 of the Defense Production Act, as amended—50 U.S.C. opp. 2098—and a provision to that effect shall be included in each such contract and related subcontracts.

Mr. President, I believe that the adoption of this amendment is essential to good, efficient, and economical government management of contracts under the Defense Production Act.

Recent disclosures in a report prepared by the General Accounting Office revealed that Government auditors were unable to examine the records of a firm engaged in Government defense work as to costs and profits since the contract did not call for such examinations, and the firm refused the Government auditors permission to examine the cost and profit sheets.

A review of the Defense Production Act of 1950 shows the act does not specifically require that contracts negotiated without advertising under the provisions of this act contain a clause giving the Comptroller General access to any pertinent records of the contractor. Some contracts negotiated under the act do contain provisions for adequate examination of records since the contractor permitted this type of clause to be included. In the case cited by the Comptroller General the firm refused to permit the inclusion of such provisions for examination of records.

It is my belief that such provisions which will permit Government auditors to examine the records of defense contractors should be mandatory in all such contracts. The Comptroller General's office also believes such a provision is essential for good, sound business management.

It is my sincere hope that the Senate will give consideration to the proposed bill and judge it on its own merits as desirable and essential.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2028) to amend section 303 of the Defense Production Act of 1950, as amended, by providing for access to contractors' records by the Comptroller General, introduced by Mr. LAUSCHE (for himself and Mr. McCLELLAN), was received, read twice by its title, and referred to the Committee on Banking and Currency.

87TH CONGRESS
1ST SESSION

S. J. RES. 98

IN THE SENATE OF THE UNITED STATES

JUNE 7, 1961

Mr. CURTIS (for himself, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr. KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. MCGEE, Mr. JOHNSTON, Mr. GRUENING, Mr. DIRKSEN, Mr. HUMPHREY, Mr. CASE of South Dakota, Mr. MCCARTHY, Mr. MORSE, and Mr. PROXMIRE) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment
of the Homestead Act.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the President is requested (1) to issue a proclamation
4 designating the calendar year 1962 as the centennial of the
5 enactment of the Homestead Act, and calling upon the
6 Governors of the States, mayors of cities, and other public
7 officials, as well as other persons, organizations, and groups,

1 particularly in the States most directly affected by the Home-
 2 stead Act, to observe such centennial by appropriate celebra-
 3 tions and ceremonies; and (2) to provide, in such manner
 4 as he deems appropriate, for participation by Federal agen-
 5 cies and officials in such observance.

87TH CONGRESS
 1ST SESSION

S. J. RES. 98

JOINT RESOLUTION

To provide for the observance of the centennial
 of the enactment of the Homestead Act.

By Mr. CURTIS, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE,
 Mr. BOGES, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD
 of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr.
 CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG,
 Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr.
 KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr.
 MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER,
 Mr. SCHOEPPel, Mr. SYMINGTON, Mr. WILEY, Mr.
 YOUNG of North Dakota, Mr. McGEE, Mr. JOHN-
 STON, Mr. GRUENING, Mr. DIRKSEN, Mr. HUMPHREY,
 Mr. CASE of South Dakota, Mr. MCCARTHY, Mr.
 MORSE, and Mr. PROXMIRE

JUNE 7, 1961

Read twice and referred to the Committee on the
 Judiciary

H. J. RES. 442

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1961

MR. WEAVER introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment of the Homestead Act.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the President is requested (1) to issue a proclamation
4 designating the calendar year 1962 as the centennial of the
5 enactment of the Homestead Act, and calling upon the
6 Governors of the States, mayors of cities, and other public
7 officials, as well as other persons, organizations, and groups,
8 particularly in the States most directly affected by the Home-
9 stead Act, to observe such centennial by appropriate cele-
10 brations and ceremonies; and (2) to provide, in such manner
11 as he deems appropriate, for participation by Federal
12 agencies and officials in such observance.

87TH CONGRESS
1ST SESSION

H. J. RES. 442

JOINT RESOLUTION

To provide for the observance of the centennial
of the enactment of the Homestead Act.

By Mr. WEAVER

JUNE 7, 1961

Referred to the Committee on the Judiciary

CENTENNIAL OF THE ENACTMENT OF THE HOMESTEAD ACT

AUGUST 8, 1961.—Ordered to be printed

Mr. DIRKSEN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S.J. Res. 98]

The Committee on the Judiciary, to which was referred the resolution (S.J. Res. 98) to provide for the observance of the centennial of the enactment of the Homestead Act, having considered the same, reports favorably thereon without amendment and recommends that the resolution do pass.

PURPOSE

The purpose of the proposed resolution is to request the President of the United States to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act and calling upon the Governors of the States, mayors of cities, and other public officials to observe such centennial by appropriate celebrations and ceremonies.

STATEMENT

Public hearing was conducted by the Subcommittee on Federal Charters, Holidays, and Celebrations of the Committee on the Judiciary on July 26, 1961, at which time the sponsor of the resolutions, the Honorable Carl T. Curtis, of Nebraska, testified in favor of the resolution, and the Honorable Roman L. Hruska, of Nebraska, submitted a statement in support of Senate Joint Resolution 98.

President Abraham Lincoln signed the Homestead Act on May 20, 1862, and the first homestead under it was taken on its effective date, January 1, 1863. This first homestead taken on January 1, 1863, was in Gage County, Nebr., by Daniel Freeman during a period of leave from his services in the Union Army. By the act of March 19, 1936, Congress directed the purchase of Daniel Freeman's homestead from his descendants, and on January 3, 1939, it was designated the Home-

stead National Monument of America, a memorial emblematical of the hardships in the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West.

The Daniel Freeman Homestead, patent No. 1, dated September 1, 1869, was one of the over 8,000 homestead entries made in 1863. This rate was nearly doubled in 1866. By 1871 the entry rate numbered 38,769, and in 1880, 47,293 claims were filed. These were the forerunners, the numerical beginning, of homestead entries under a law which, with modifications, has led to patents through June 30, 1960, of 1,466,033 homestead patents containing 248,015,473 acres. About 120,000 of this total of final homestead entries have been perfected since 1923.

The existence for three centuries of a frontier of unoccupied land to which westward moving settlers might go has undoubtedly been one of the most important influences which have molded our American civilization. The influence of the Homestead Act of 1862 in this molding process would be difficult to fully and adequately evaluate. That it was substantial almost goes without saying, for it was the keystone, "free land for the landless," which served as a magnetic force that drew hardy pioneers from both home and abroad into the forefront of a great migration. This movement lured millions of farmers and others westward between 1870 and 1890. They filled Kansas and Nebraska, and engulfed the sweeping level grasslands of Dakota; occupied the rolling foothills of Wyoming and Montana, and in the closing stampeding struggle to gain free land forced the removal of the Indians from the last native sanctuary in Oklahoma.

The committee is of the opinion that this resolution has a meritorious purpose in commemorating the centennial of the Homestead Act, wherein by a single act the Nation changed course and made possible the development of small family-size farms, for decades the economic and sociological backbone of America. Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 98 without amendment.



S. J. RES. 98

[Report No. 679]

IN THE SENATE OF THE UNITED STATES

JUNE 7, 1961

Mr. CURTIS (for himself, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr. KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. McGEE, Mr. JOHNSTON, Mr. GRUENING, Mr. DIRKSEN, Mr. HUMPHREY, Mr. CASE of South Dakota, Mr. MCCARTHY, Mr. MORSE, and Mr. PROXMIER) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

AUGUST 8, 1961

Reported by Mr. DIRKSEN, without amendment

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment of the Homestead Act.

- 1 *Resolved by the Senate and House of Representatives*
- 2 *of the United States of America in Congress assembled,*
- 3 That the President is requested (1) to issue a proclamation
- 4 designating the calendar year 1962 as the centennial of the
- 5 enactment of the Homestead Act, and calling upon the
- 6 Governors of the States, mayors of cities, and other public
- 7 officials, as well as other persons, organizations, and groups,
- 8 particularly in the States most directly affected by the Home-

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment of the Homestead Act.

BY Mr. CURTIS, Mr. HRUSKA, Mr. BENNETT, Mr. BIBLE, Mr. BOGGS, Mr. BRIDGES, Mr. BURDICK, Mr. BYRD of Virginia, Mr. CAPEHART, Mr. CARLSON, Mr. CARROLL, Mr. COOPER, Mr. DWORSHAK, Mr. FONG, Mr. HICKENLOOPER, Mr. HICKEY, Mr. HOLLAND, Mr. KEFAUVER, Mr. MANSFIELD, Mr. METCALF, Mr. MILLER, Mr. MOSS, Mr. MUNDT, Mrs. NEUBERGER, Mr. SCHOEPPEL, Mr. SYMINGTON, Mr. WILEY, Mr. YOUNG of North Dakota, Mr. McGEE, Mr. JOHNSTON, Mr. GRUENING, Mr. DIKSEN, Mr. HUMPHREY, Mr. CASE of South Dakota, Mr. MCCARTHY, Mr. MORSE, and Mr. PROXMIRE

JUNE 7, 1961

Read twice and referred to the Committee on the Judiciary

AUGUST 8, 1961

Reported without amendment

1 stead Act, to observe such centennial by appropriate celebra-
2 tions and ceremonies; and (2) to provide, in such manner
3 as he deems appropriate, for participation by Federal agen-
4 cies and officials in such observance.

(v) Place or position of ship.
 (vi) Whether separator used: If so, give period of use.
 (vii) Disposal of oily residue retained on board.

(C) Disposal from ship of oily residues from bunker fuel tanks and other sources.
 (i) Date and method of disposal.
 (ii) Place or position of ship.
 (iii) Sources and approximate quantities.

(D) Signature of officer or officers in charge of the operations concerned and signature of the master.

(3) FOR ALL SHIPS.—

(A) Date of entry.

(B) Accidental and other exceptional discharges or escapes of oil.

(i) Date and time of occurrence.

(ii) Place or position of ship.

(iii) Approximate quantity and type of oil.

(iv) Circumstances of discharge or escape and general remarks.

(C) Signature of officer or officers in charge of the operations concerned and signature of the master.

(b) The booklet shall be furnished free to all seagoing ships of American registry subject to this Act. The provisions of section 140 of title 5, United States Code shall not apply. The ownership of the booklet shall remain in the United States Government. This booklet shall be available for inspection as provided in this Act and for surrender to the United States Government pursuant to regulations of the Secretary.

SEC. 14. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SEC. 15. If a provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of such provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

SEC. 16. Nothing in this Act or in regulations issued hereunder shall be construed to modify or amend the provisions of the Oil Pollution Act, 1924 (33 U.S.C. 431-437), or of section 89 of title 14, United States Code.

SEC. 17. This Act shall become effective upon the date of its enactment or upon the date the United States becomes a party to the convention, whichever is the later date.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

YOM TOV YESHAYAHU BRISZK

The bill (S. 419) for the relief of Yom Tov Yeshayahu Brisk was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (4) of the Immigration and Nationality Act, Yom Tov Yeshayahu Brisk may be issued a visa and admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that Act: Provided, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act: And provided further, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act.

HERIPSIME HOVNANIAN

The bill (S. 1786) for the relief of Heripsime Hovnanian was considered,

ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding the provisions of paragraph (25) of section 212(a) of the Immigration and Nationality Act, Heripsime Hovnanian may be issued an immigrant visa and admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such Act: Provided, That this Act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this Act.

MRS. LEE CHEE SHEE

The bill (S. 1928) for the relief of Mrs. Lee Chee Shee was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Mrs. Lee Chee Shee, the widow of a United States citizen, shall be held and considered to be within the purview of section 101(a) (27) (A) of that Act and the provisions of section 205 of that Act shall not be applicable in this case.

DR. JOHN LOPINTO ARZAGA

The bill (S. 2118) for the relief of Dr. John Lopinto Arzaga was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor John Lopinto Arzaga shall be deemed to be within the purview of section 319(a) of that Act.

CONCETTA CASOLA

The Senate proceeded to consider the bill (S. 456) for the relief of Concetta Casola, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purpose of the Act of September 22, 1959 (Public Law 86-363), Concetta Casola shall be deemed to be within the purview of section 4 of that Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DAVID LEW HUIE

The Senate proceeded to consider the bill (S. 1053) for the relief of David Lew Huie, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee.", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, David Lew Huie shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MRS. MARCELITA LOPEZ KABAYAO MORTENSEN

The Senate proceeded to consider the bill (S. 1190) for the relief of Mrs. Marcelita Lopez Kabayao Mortensen, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, the provisions of sections 202(a) (5) and 202(b) (2) of that Act shall not be applicable in the case of Mrs. Marcelita Lopez Kabayao Mortensen.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MARGHERITA FERRELLI D'AMICO

The Senate proceeded to consider the bill (S. 1585) for the relief of Margherita Ferrelli D'Amico, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "States", to insert a colon and "Provided, That the natural parents of the said Margherita Ferrelli D'Amico shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Margherita Ferrelli D'Amico, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Vincent D'Amico, both citizens of the United States: Provided, That the natural parents of the said Margherita Ferrelli D'Amico shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

MARIA TRELA TERPAK

The Senate proceeded to consider the bill (S. 976) for the relief of Maria Trela Terpak which had been reported from the Committee on the Judiciary with amendments, in line 5, after the word "child", to strike out "Marya" and insert "Maria", and in line 8, after the word "said", to strike out "Marya" and insert "Maria"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of sections 101(a) (27) (A) and

205 of the Immigration and Nationality Act, the minor child, Maria Trela Terpak, shall be held and considered to be the natural-born alien child of Mr. and Mrs. George Terpak, Junior, citizens of the United States: *Provided*, That the natural parents of the said Maria Trela Terpak shall not, by virtue of such parentage, be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Marie Trela Terpak."

HERNANDO DE SOTO WEEK

The Senate proceeded to consider the joint resolution (S.J. Res. 8) to provide for the designation of the week of Whitsunday of each year as "Hernando de Soto Week," which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 5, after the word "year", to strike out "1961" and insert "1962", so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and requested to designate the week beginning with Whitsunday of each year, beginning with the year 1962, as "Hernando de Soto Week" and to issue a proclamation calling upon the people of the United States to observe such week with appropriate ceremonies.

The amendment was agreed to.

The joint resolution, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

AMERICAN INDIAN DAY

The joint resolution (S.J. Res. 84) to establish the fourth Friday in September of every year as American Indian Day was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection the Senate proceeded to consider the joint resolution.

Mr. JAVITS. Madam President, the passage today, by the Senate of Senate Joint Resolution 84, the bill to establish American Indian Day, was indeed heartening. This legislation was suggested to me last year in a letter by a 7 year-old schoolgirl from Jackson Heights, N.Y.

It is my hope that the annual celebration of American Indian Day will focus the public's attention on the cultural, social, and educational growth of the American Indian, that it will remind us to treat the American Indian with full respect and equality and the dignity to which the original Americans are entitled.

I sincerely hope that the House will now act promptly on this legislation and that the President will sign it so that we may celebrate America's first Indian Day on September 22 of this year.

Madam President, I ask unanimous consent that the same privilege, to have statements on the joint resolution print-

ed at this point, be extended to other sponsors of the joint resolution and other Senators as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KEATING. Madam President, I am pleased to be a cosponsor of Senate Joint Resolution 84, which establishes the fourth Friday in September as American Indian Day. It is fitting that the Congress recognize in this manner the many contributions to American life by the first inhabitants of our land.

The American Indian has added greatly to the life and culture of our Nation. My own State of New York is particularly proud of the New York State tribes which have added so much to the history and development of New York.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution (S.J. Res. 84) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth Friday in September of every year is designated as American Indian Day, and the President of the United States is authorized and directed to issue annually a proclamation setting aside that day as a public occasion and inviting the people of the United States to observe that day with appropriate ceremonies.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

CENTENNIAL OF THE ENACTMENT OF THE HOMESTEAD ACT

The joint resolution (S.J. Res. 98) for the observance of the centennial of the enactment of the Homestead Act was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HRUSKA. Madam President, I am gratified at the promptness with which the Judiciary Committee has acted in reporting to the Senate the resolution introduced by my colleague, Senator CURTIS, and cosponsored by myself and others, calling upon the President to proclaim calendar year 1962 as the centennial of the enactment of the Homestead Act.

Few pieces of legislation in our history have had a wider ranging or more profound effect on the Nation's development and growth. Without it, the West for decades might have remained a vast, undeveloped wilderness. Instead, thousands of pioneers were able to carve out for themselves and their families new homes and new occupations. This was, of course, no easy task. It demanded the best of men—and women—and we from those Western States take great pride in rich heritage that is ours.

While Nebraskans have a particular interest in the observation of the centennial because the first homestead granted under the act was in Gage

County, Nebr., the real impact has been felt by the whole Nation.

Probably no other single law has done so much toward shaping the democratic nature of this country. Plantations and corporation-owned farms were becoming the order of the day. Then, by a single act, the Nation changed course and made possible the development of small, family-sized farms, for decades the economic and sociological backbone of America. Who can calculate what the run of history might have been in the past hundred years had our leaders of that day followed the old course? Would we have held on to the precious individualism and love of liberty which today is the chief difference between our Nation and our enemies abroad?

Fortunately, we don't have to find the answer. We did revolutionize our economy and we did maintain those priceless values.

America owes a lasting debt to the far-sighted wisdom of that Congress of a century ago and of Abraham Lincoln whose signature made the Homestead Act a reality.

Mr. CURTIS. Madam President, earlier this year we began a series of events which will observe the most significant period of history thus far in our national life. Men are made stronger in character, deeper in understanding by great trials. The trials of 4 years of war between the States of this Nation—the regeneration of spirit which insured for all time the union of States, played a major part in our elevation to a position of world leadership.

During this time in our history the Congress enacted the Homestead Act, an act described by an eminent historian as the most forward-looking land disposal policy ever achieved by any nation. President Lincoln signed the Homestead Act on May 20, 1862, and the first homestead under it was taken on its effective date, January 1, 1863. Quite naturally, my interest in the Homestead Act is whetted by the fact that this first homestead was taken on January 1, 1863, in Gage County, Nebr., by Daniel Freeman during a period of leave from his services in the Union Army. But the breadth and deep significance of this act most certainly obviate any effort to seek commemoration for my State in which the first homestead was taken. My colleague, Senator HRUSKA, and I have been joined by 35 of our colleagues to introduce the commemorative resolution which is before us today. We are joined by many whose antecedents wore both the blue and the gray in the War Between the States.

By the year 1880, 469,782 homesteads were taken under the act of 1862 covering 55,667,645 acres. It is interesting to note that 94,000 of these were taken in 5 States formerly members of the Confederate States of America. As of June 30, 1960, final homestead entries numbered 1,466,033 covering 248,015,473 acres of lands.

We Senators who are authors of this resolution to commemorate the Homestead Act believe it deserves tribute during this period of commemorating a very significant time of national history. It

is our hope, as expressed in the resolution, that the President will call upon Governors of our States, mayors of our cities, and other suitable persons or organizations to arrange appropriate observance. The President is also requested, by the resolution, to invite the participation of Federal agencies and officials who can contribute to this objective.

In closing, I wish to thank the Senate for taking the time for interest shown here today in this resolution and I quote a most meaningful tribute paid the Homestead Act by a Canadian newspaper during the time of its debate in the Congress. This editorial eulogized the Homestead Act in these words:

Partial offers of such gifts have often been made before, but we doubt whether any endowment on so magnificent a scale has ever been conferred on the moneyless sons of labor, not on one country, but of the civilized world.

The **PRESIDING OFFICER.** The question is on the engrossment and passage of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested (1) to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act, and calling upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, particularly in the States most directly affected by the Homestead Act, to observe such centennial by appropriate celebrations and ceremonies; and (2) to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

CENTENNIAL OF THE ESTABLISHMENT OF THE DEPARTMENT OF AGRICULTURE

The joint resolution (H. J. Res. 435) to provide for the recognition of the centennial of the establishment of the Department of Agriculture and for other purposes was considered, ordered to a third reading, read the third time, and passed.

CENTENNIAL OF ESTABLISHMENT OF NATIONAL SYSTEM OF LAND GRANT UNIVERSITIES AND COLLEGES

The Senate proceeded to consider the joint resolution (H. J. Res. 436) to provide for the recognition of the centennial of the establishment of the national system of land-grant universities and colleges.

Mr. **PROUTY.** Madam President, I am pleased to be able to support this resolution which provides for the centennial celebration of the establishment of the land-grant colleges and universities for two principal reasons.

First of all, the author of the legislation which brought about our land-grant colleges was Senator Justin Smith Morrill, of Vermont, and in honor of the cen-

tennial of the Morrill Act, my State is planning a fitting celebration next year of the occasion.

Secondly, the Land Grant Act is of national significance and the celebration of its centennial can do more than pay tribute to the past; it can focus attention on the educational needs of today.

In our world of ever-expanding scientific and cultural horizons, in a time when we find ourselves engaged with a cunning adversary in the battle of brains, it is important to dramatize the Nation's need of widespread educational opportunities.

I can think of no more effective way to dramatize this than by refreshing the public memory, through the proposed centennial celebration. The inspiring story of Justin Smith Morrill and his long fight to make higher education available, not only to the sons of the rich but to every American with the capacity and the industry to utilize the opportunity for such an education, should prove an inspiration for our own times. Today there are 68 land grant colleges and State universities. They help educate no less than one-fifth of America's college students. They award at least 40 percent of all doctorates in this country and more than half of them are in the sciences, engineering and the health professions. And all of American degrees in agriculture come from land grant institutions.

All of this grew out of the Morrill Act of 1862, signed by President Lincoln, which made it possible for the Federal Government to give to each State a grant of public land with the proviso that the proceeds from the sale of this land be used to endow at least one college in each State open to all able and willing to learn.

Coming at a time when the Nation was expanding, when the need for widespread education was, as today, deeply felt in the country and when established institutions of higher education were few, restrictive and expensive, the Morrill Act opened the doors of opportunity to thousands of our young men and women and enriched our growing country beyond calculation.

Today it is vital to our national interests to encourage the scientists and scholars of tomorrow. If a national celebration of the establishment of the land grant colleges and State universities can help focus public attention on our present educational needs, it will be well worthwhile.

It is an interesting observation that the man responsible above all others for initiating and successfully promoting through Congress this enlightened act, himself received no formal schooling beyond the age of 14. Perhaps this very lack is what inspired his interest in education for all.

Justin Smith Morrill was born in Strafford, Vt., in 1810 and was first elected to the U.S. House of Representatives in 1854 where he remained for 12 years. Thereafter he was elected and reelected to the U.S. Senate for 32 more years, for a total of 44 years of service in Congress, longer than any Congressman before his time.

Although he is best known for the Morrill Land Grant College Act, he was also a prime mover in the completion of the Washington Monument after more than a quarter century of neglect. He was active in having the old Hall of Representatives set aside as Statuary Hall, in the erection of the Library of Congress, and in the marble terracing of the west front of the Capitol, a project of special interest to all currently in the Congress because of the recent completion of the new west front in marble. His last speech to the Senate was a plea for a home for the Supreme Court.

On the occasion of the centenary exercises by the State of Vermont in honor of Justin Morrill's birth, the then Governor of the State concluded his address with some words of tribute to this far-sighted Vermonter. I, also, would like to conclude by repeating those words of my late uncle, Gov. George H. Prouty:

We do well to pay tribute to his memory, for by so doing we only repay in small degree the great debt of gratitude we owe him.

The bill now before the Senate, which at least in part will do honor to Senator Morrill's great work, ought to pass not only to repay the debt of gratitude to the past, but to make an investment in the future of our country.

The **PRESIDING OFFICER.** The question is on the third reading and passage of the joint resolution.

The joint resolution was read the third time, and passed.

REMOVAL OF STATUTORY LIMITATION ON AMOUNT OF PROPERTY HELD BY NATIONAL SOCIETY OF THE SONS OF THE AMERICAN REVOLUTION

The bill (S. 2239) to amend the act entitled "An act to incorporate the National Society of the Sons of the American Revolution," approved June 9, 1906 (34 Stat. 227), in order to remove the statutory limitation on the amount of property such society may receive, purchase, hold, sell, and convey at any one time was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An act to incorporate the National Society of the Sons of the American Revolution", approved June 9, 1906 (34 Stat. 227), is amended by striking out the following: "to an amount not exceeding at any one time in the aggregate \$500,000".

AMERICAN HISTORY MONTH

The joint resolution (S.J. Res. 22) designating February of each year as American History Month was announced as next in order.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. **KEATING.** Madam President, at a time when our Nation is passing through a period of history when one

crisis after another is presented to the American people, it is particularly important for Americans to have a full knowledge of their history.

An understanding and appreciation of the heritage of our country will serve as a fountain for the enrichment of future generations. It is not a reliance on past achievements that will keep America great. However, it is a reliance upon the moral fiber and patriotism, wisdom, faith and perseverance of our forefathers which will enable the United States to meet the challenges of the coming decade.

The Society of the Daughters of the American Revolution has done a fine and commendable job in backing this commemoration of February as American History Month and their efforts should be widely applauded.

America's debt to the past is great. Our obligation to the world in the future will even be greater. I am hopeful that a national proclamation of American History Month will help to underscore for all Americans what has made this Nation the greatest nation on the face of the earth. I hope this proposal will gain the prompt and favorable consideration it deserves.

The PRESIDING OFFICER. The question is on the engrossment and passage of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That February of each year is hereby designated as American History Month, and the President of the United States is requested and authorized to issue annually a proclamation inviting the people of the United States to observe such month in schools, churches, and other suitable places with appropriate ceremonies and activities.

The preamble was agreed to.

INTERFAITH DAY

The joint resolution (S.J. Res. 107) designating the fourth Sunday in September of each year as Interfaith Day was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. KEATING. Madam President, I am especially proud that the interfaith movement in New York has gained such widespread approval and acceptance. In several States across our land Interfaith Day is observed.

The designation of an Interfaith Day would encourage the mutual understanding of all people of our country and would serve further to call attention to the rest of the world the principles upon which our Nation was founded.

Interfaith Day has been regularly observed in New York, primarily as a result of the dedicated efforts and perseverance of a small group which has year by year won increasing support for the celebration. The interfaith movement of New

York, under Samuel Sokolski, Sidney Searles, and others has played a vital part in arousing America to the need for cooperation and understanding among different religions.

The founders of this great country came, in many instances, in the search of religious freedom. It is in the spirit of mutual understanding, brotherhood and cooperation among all religious groups that this resolution has been offered. It is my sincere hope that this joint resolution will be acted upon favorably in the Senate and that the House of Representatives will favorably consider the resolution as well.

The PRESIDING OFFICER. The question is on the engrossment and passage of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the fourth Sunday in September of each year is hereby designated as "Interfaith Day", and the President of the United States is authorized and requested to issue annually a proclamation calling on the people of the United States to observe such day, and urging the participation of all Americans and all religious groups in the United States, regardless of sect or creed, to participate in the observance of such day to the extent and by such means as they may deem appropriate.

CONCURRENT RESOLUTION PASSED OVER

The concurrent resolution (S. Con. Res. 14) saluting "Uncle Sam" Wilson of Troy, N.Y., as the progenitor of America's national symbol of "Uncle Sam," was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the current resolution?

Mr. HART. Over, by request.

The PRESIDING OFFICER. Objection is heard; the concurrent resolution will be passed over.

COMPACT BETWEEN THE STATES OF NORTH DAKOTA AND MINNESOTA

The bill (H.R. 7189) granting the consent of Congress to the compact or agreement between the States of North Dakota and Minnesota with respect to the boundary between such States was considered, ordered to a third reading, read the third time, and passed.

SALE OF LIGHT STATION PROPERTY IN SCITUATE, MASS.

The bill (H.R. 1452) to authorize the sale of a portion of the former light station property in Scituate, Mass., was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1969) to amend the Federal Aviation Act of 1958, as amended, to provide for a class of supplemental air carriers, and for other purposes was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HART. I ask that the bill go over, on the ground that it is not appropriate for calendar business consideration.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 6765) to authorize acceptance of an amendment to the articles of agreement of the International Finance Corporation permitting investment in capital stock was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. HART. I ask that the bill go over, for the same reason stated as to the previous one, that it is not appropriate calendar business.

The PRESIDING OFFICER. The bill will go over.

CLEARANCE OF CERTAIN PORTIONS OF THE OAAHE RESERVOIR AREA

The Senate proceeded to consider the bill (S. 340) to authorize the Chief of Engineers to enter into a contract with the Standing Rock Indian Tribe to provide for the clearing of certain portion of the Oahe Reservoir area, which had been reported from the Committee on Public Works, with amendments, on page 1, line 4, after the word "Rock", to insert "and Cheyenne River"; in line 5, after the word "Indian", to strike out "Tribe" and insert "Tribes"; in line 10, after the word "the", where it appears the first time, to strike out "tribe" and insert "tribes", and on page 2, line 1, after the word "the", to strike out "tribe" and insert "tribes"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Engineers is authorized to enter into a contract or contracts with the Standing Rock and Cheyenne River Indian Tribes, under such terms and conditions as he deems reasonable, to provide for clearing of such portion or portions of the Oahe Reservoir area as he may determined. The contracts may provide for such payment of consideration as may be mutually agreed upon by the Chief of Engineers and the tribes and may provide for the exclusive use of Indian labor if desired by the tribes. Subject to the provisions of section 2 of this Act, such contracts may be entered into without regard to other provisions of law relating to the making of contracts by the United States.

SEC. 2. Nothing in this Act shall be construed to constitute authorization hereunder for—

- (a) the use of the cost-plus-a-percentage-of-cost system of contracting;
- (b) any contract in violation of existing law relating to limitation of profits or
- (c) the waiver of any payment, performance, or other bond required by law.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to authorize the Chief of Engineers to enter into contracts with the Standing Rock and Cheyenne River In-

S. J. RES. 98

IN THE HOUSE OF REPRESENTATIVES

AUGUST 15, 1961

Referred to the Committee on the Judiciary

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment of the Homestead Act.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the President is requested (1) to issue a proclamation
4 designating the calendar year 1962 as the centennial of the
5 enactment of the Homestead Act, and calling upon the
6 Governors of the States, mayors of cities, and other public
7 officials, as well as other persons, organizations, and groups,
8 particularly in the States most directly affected by the Home-
9 stead Act, to observe such centennial by appropriate celebra-
10 tions and ceremonies; and (2) to provide, in such manner
11 as he deems appropriate, for participation by Federal agen-
12 cies and officials in such observance.

Passed the Senate August 14, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

87TH CONGRESS
1ST SESSION

S. J. RES. 98

JOINT RESOLUTION

To provide for the observance of the centennial
of the enactment of the Homestead Act.

AUGUST 15, 1961

Referred to the Committee on the Judiciary

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only
should not be quoted
or cited)

CONTENTS

Issued August 23, 1961
For actions of August 22, 1961
87th-1st, No. 145

Appropriations.....9,16,40
ASC employees.....1
Assistant Secretary.....5
Budgeting.....9
Centennials.....7
Civil defense.....19,27
Conservation.....34
Cooperatives.....17,35
Cultural exchanges.....6
Dairy industry.....10
Education.....6,32
Electrification.....35
Expenditures.....36
Farm labor.....18
Farm credit.....23
Farm program.....26
Flood control.....29
Foreign aid.....20,30
Foreign trade.....28,31,37

Legislative program..12,25
Libraries.....12
Livestock.....38
Manpower.....14,24,25
Mining.....4
Monopolies.....33
Peace Corps.....25
Personnel.....1,36
Prices.....22
Public works.....24
Purchasing.....3
Retirement.....1
Saline water.....11
Surplus commodities.....28
Transportation.....8,15
Watersheds.....13
Weather.....21
Wheat.....39

HIGHLIGHTS: Senate debated manpower training bill. House passed bill to extend time for purchase of retirement credit by ASC county committee employees.

HOUSE

1. PERSONNEL. Passed under suspension of the rules H. R. 1010, to provide for at least a two-step increase when an employee is promoted from one grade to another. pp. 15506-8

Passed under suspension of the rules S 739, to modify the method of computing interest earnings of special Treasury issues held by the civil service retirement and disability fund and to provide for permanent indefinite appropriations for the fund. The bill as passed includes (as a House amendment) provisions to remove the present requirement, contained in the Pay Act of 1960, that ASC employees with past service purchase credit for such service within a two-year period from July 10, 1960. pp. 15508-12

2. LIBRARIES. Passed under suspension of the rules H. R. 8141, to amend the laws relating to depository libraries so as to provide for expansion in their number and to improve the procedures and conditions relating to the selection, supply, retention, and disposal of Government publications furnished depository libraries for public information. pp. 15522-4

3. PURCHASING. Passed under suspension of the rules H. R. 8603, to provide for public information and publicity concerning instances where competitors submit identical bids to public agencies for the sale or purchase of supplies, equipment or services. pp. 15524-8
4. MINING. The Rules Committee reported a resolution for the consideration of H. R. 84, to stabilize the mining of lead and zinc by small domestic producers on public, Indian, and other lands. p. 15541
5. ASSISTANT SECRETARIES. The Rules Committee reported a resolution for the consideration of H. R. 6360, to authorize an additional Assistant Secretary of Commerce. p. 15541
6. CULTURAL EXCHANGES. The Foreign Affairs Committee voted to report (but did not actually report) with amendments H. R. 8666, to provide for the improvement and strengthening of the international relations of the U. S. by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges. p. D747
7. CENTENNIALS. The Judiciary Committee voted to report (but did not actually report) S. J. Res. 98, to provide for the observance of the centennial of the enactment of the Homestead Act. p. D747
8. TRANSPORTATION. The Merchant Marine and Fisheries Committee voted to report (but did not actually report) with amendments H. R. 2488, to provide for the licensing of independent ocean freight forwarders. p. D748
9. APPROPRIATIONS; BUDGETING. Rep. Cannon inserted several tables with "comparative tabulations of the regular appropriation bills and identified legislative bills carrying back-door appropriation provisions," and said "The back-door spending practice is indefensible before every rule of reason and commonsense." pp. 15490-
10. DAIRY INDUSTRY. Rep. Patman said, "The practice of making sales at prices below cost was dramatically brought to light during the course of the hearings before the Special Subcommittee on Small Business Problems in the Dairy Industry," and inserted a number of letters and a list of Ohio dairies that have gone out of business, 1950 to 1961, inclusive, in order to illustrate this problem. pp. 15531-9
11. SALINE WATER. Rep. Durno praised H. R. 7916, to expand and extend the saline water conversion program being conducted by the Secretary of the Interior, saying, "I believe that this bill is one of the most important that the Congress has passed in this session." p. 15539
12. LEGISLATIVE PROGRAM. Rep. McCormack announced that H. R. 84, to stabilize the mining of lead and zinc by small domestic producers on public, Indian, or other lands, will be considered on Thurs. p. 15526

SENATE

13. WATERSHEDS. Concurred in the House amendment to S. 650, to amend the Watershed Protection and Flood Prevention Act so as to permit any irrigation or reservoir company, water users' association, or similar organizations to sponsor works of improvement if they have authority under State law to carry out, maintain, and operate works of improvement, are not operated for profit, and are approved by the Secretary of Agriculture for this purpose. This bill will now be sent to

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For information only
should not be quoted
or cited)

CONTENTS

Issued
For actions of

August 24, 1961
August 23, 1961
87th-1st, No. 146

Appropriations.....3	
Atomic energy.....32	
Budget.....19	
Centennials.....2	
Dairy industry.....13	
Depressed areas.....17	
Electrification.....15	
Expenditures.....26	
Export control.....6	
Farm labor.....1,25	
Farm program.....10	
Food stockpiling.....21	
Foreign aid.....14,22	
Foreign trade.....16,23	
Fruits.....18	
Grains.....27	
Housing.....5	
Lands.....7	
Manpower.....8	
Military service.....4	
Overseas travel.....4	
Peace Corps.....9	
Per diem.....30	
Personnel.....4,26,29,30	
Raw wheat.....21	
Research.....31	
Saline water.....31	
Sugar.....28	
Training.....30	
Travel.....30	
Veterans' benefits...20,24	
Water resources.....12	
Wilderness areas.....11	

HIGHLIGHTS: Senate passed manpower training bill. Senate debated Peace Corps bill. House committee voted to report bill to establish Department of Urban Affairs and Housing. Rep. Breeding introduced and discussed bill to permit planting of barley on land taken out of wheat production.

HOUSE

- 1. MIGRANT LABOR.** The "Daily Digest" states that the Rules Committee "Denied a rule on H. R. 7812, to provide for the registration of contractors of migrant agricultural workers." p. D757
- 2. CENTENNIALS.** The Judiciary Committee reported without amendment S. J. Res. 98, to provide for the observance of the centennial of the enactment of the Homestead Act (H. Rept. 1017). p. 15792
- 3. APPROPRIATIONS.** Conferees were appointed on H. R. 8302, the military construction appropriation bill. Senate conferees have already been appointed. p. 15749
- 4. PERSONNEL.** Received from the Civil Service Commission a proposed bill "to amend section 7 of the Administrative Expenses Act of 1946, as amended"; to Government Operations Committee. p. 15792
The Subcommittee No. 1 of the Armed Services Committee voted to report to the full committee with amendments H. R. 8765, to amend and clarify the reemployment

provisions of the Universal Military Training and Service Act. p. D755

5. HOUSING. The Government Operations Committee voted to report (but did not actually report) with amendments H. R. 8429, to establish a Department of Urban Affairs and Housing. p. D756
6. EXPORTS. The Rules Committee reported without amendment (H. Rept. 1027) H. Res. 403, creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts. p. 15792
7. LANDS. The Interior and Insular Affairs Committee voted to report (but did not actually report) with amendments H. R. 6630, relating to the conveyance of certain parts of rights-of-way by railroad companies. p. D756
The Subcommittee on Rivers and Harbors of the Public Works Committee voted to report to the full committee H. R. 7888, to extend the time within which the land in certain reservoir projects in Texas may be reconveyed to the former owners thereof. p. D757

SENATE

8. MANPOWER RESOURCES. By a vote of 60 to 31, passed with amendments S. 1991, the proposed Manpower Development and Training Act of 1961. pp. 15688-702, 15704-10
Agreed to the following amendments:
 - By Sen. Javits, to provide that the National Advisory Committee on manpower resources shall assist in the organization on a plant, community, regional, or industry basis of labor-management-public committees and similar groups designed to further the purposes of the bill. pp. 15689-91
 - By Sen. McNamara, to provide that persons receiving training shall be entitled to receive unemployment compensation in excess of the weekly training allowances. p. 15694
 - By Sen. Prouty, to provide that any person who refuses to accept retraining shall not be entitled to receive training allowances for 1 year (rather than 6 months) after such refusal. pp. 15694-5
 - By Sen. Prouty, to limit the training allowance paid to an individual undergoing on-the-job training to an amount, which, when added to the payment from the employer, will not exceed the average weekly unemployment compensation payment. p. 15695
 - By Sen. Prouty, as modified, 53 to 39, by a substitute amendment by Sen. Clark, to limit to 5 percent of the total authorization the amount of training allowances which may be paid to youths between ages 16 and 22. pp. 15705-8Rejected, 43 to 44, an amendment by Sen. Prouty to reduce the program to 2 years (rather than 4 years) and provide authorizations of \$255 million (rather than \$655 million). pp. 15700-02
9. PEACE CORPS. Began debate on S. 2000, to provide for the establishment of a Peace Corps. pp. 15712-33, 15686-8
10. FARM PROGRAM. Sen. Miller inserted an article, "After 6 Months Freeman Finds Few Know His Problems," and an editorial from Nation's Agriculture by Charles B. Shuman, "Land Reform," stating that "The only land reform American farmers need is greater opportunity - not more restrictions." pp. 15742-3
11. WILDERNESS AREAS. Sen. Moss submitted an amendment intended to be proposed to S. 174, the wilderness areas bill. p. 15662

CENTENNIAL OF THE ENACTMENT OF THE HOMESTEAD ACT

AUGUST 23, 1961.—Referred to the House Calendar and ordered to be printed

MR. LANE, from the Committee on the Judiciary, submitted the
following

R E P O R T

[To accompany S.J. Res. 98]

The Committee on the Judiciary, to whom was referred the joint resolution (S.J. Res. 98) to provide for the observance of the centennial of the enactment of the Homestead Act, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

PURPOSE

The purpose of the proposed resolution is to request the President of the United States to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act and calling upon the Governors of the States, mayors of cities, and other public officials to observe such centennial by appropriate celebrations and ceremonies.

STATEMENT

President Abraham Lincoln signed the Homestead Act on May 20, 1862, and the first homestead under it was taken on its effective date, January 1, 1863. This first homestead taken on January 1, 1863, was in Gage County, Nebr., by Daniel Freeman during a period of leave from his services in the Union Army. By the act of March 19, 1936, Congress directed the purchase of Daniel Freeman's homestead from his descendants, and on January 3, 1939, it was designated the Homestead National Monument of America, a memorial emblematical of the hardships in the pioneer life through which the early settlers passed in the settlement, cultivation, and civilization of the great West.

The Daniel Freeman Homestead, patent No. 1, dated September 1, 1869, was one of the over 8,000 homestead entries made in 1863.

This rate was nearly doubled in 1866. By 1871 the entry rate numbered 38,769, and in 1880, 47,293 claims were filed. These were the forerunners, the numerical beginning, of homestead entries under a law which, with modifications, has led to patents through June 30, 1960, of 1,466,033 homestead patents containing 248,015,473 acres. About 120,000 of this total of final homestead entries have been perfected since 1923.

The existence for three centuries of a frontier of unoccupied land to which westward moving settlers might go has undoubtedly been one of the most important influences which have molded our American civilization. The influence of the Homestead Act of 1862 in this molding process would be difficult to fully and adequately evaluate. That it was substantial almost goes without saying, for it was the keystone, "free land for the landless," which served as a magnetic force that drew hardy pioneers from both home and abroad into the forefront of a great migration. This movement lured millions of farmers and others westward between 1870 and 1890. They filled Kansas and Nebraska, and engulfed the sweeping level grasslands of Dakota; occupied the rolling foothills of Wyoming and Montana, and populated Oklahoma.

The committee is of the opinion that this resolution has a meritorious purpose in commemorating the centennial of the Homestead Act, wherein the Nation encouraged the development of small family-size farms, for decades the economic and sociological backbone of America. Accordingly, the committee recommends favorable consideration of Senate Joint Resolution 98 without amendment.



S. J. RES. 98

[Report No. 1017]

IN THE HOUSE OF REPRESENTATIVES

AUGUST 15, 1961

Referred to the Committee on the Judiciary

AUGUST 23, 1961

Referred to the House Calendar and ordered to be printed

JOINT RESOLUTION

To provide for the observance of the centennial of the enactment
of the Homestead Act.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That the President is requested (1) to issue a proclamation
4 designating the calendar year 1962 as the centennial of the
5 enactment of the Homestead Act, and calling upon the Gov-
6 ernors of the States, mayors of cities, and other public
7 officials, as well as other persons, organizations, and groups,
8 particularly in the States most directly affected by the Home-
9 stead Act, to observe such centennial by appropriate celebra-
10 tions and ceremonies; and (2) to provide, in such manner
11 as he deems appropriate, for participation by Federal agen-
12 cies and officials in such observance.

Passed the Senate August 14, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

House Calendar No. 140

87TH CONGRESS
1ST SESSION

S. J. RES. 98

[Report No. 1017]

JOINT RESOLUTION

To provide for the observance of the centennial
of the enactment of the Homestead Act.

AUGUST 15, 1961

Referred to the Committee on the Judiciary

AUGUST 23, 1961

Referred to the House Calendar and ordered to be
printed

6. HOUSING. The Government Operations Committee reported with amendments S. 1633, to provide for the establishment of a Department of Urban Affairs and Housing (S. Rept. 879). p. 17162
Sen. Smith inserted a letter from the Governor of Mass. supporting the establishment of such a department. p. 17258
7. ELECTRIFICATION. Sen. Gruening inserted an article from the magazine Rural Electrification, "The Power of Alaska -- A Look at Electric Power Capabilities -- Present and Future-- In Our 49th State." pp. 17164-5
8. FOREIGN TRADE. Sen. Morse inserted an article, "British Common Market Bid Alarms Fruit Trade," and he stated that the entry of "Great Britain into the European Common Market have had repercussions which are arousing the concern of many growers of agricultural products." pp. 17165-6
Sen. Miller inserted an article, "U. S. Farmers Face Loss of Market in Europe -- Export Official Says Proposals Now Before Common Market Would Alter Exports." p. 17279
9. FARM LABOR. Sen. Young, O., commended Sen. Williams, N. J., for his efforts toward enactment of legislation to provide Federal assistance for migratory labor and inserted an article by Sen. Williams on this subject, "The Excluded." pp. 17168-70
10. APPROPRIATIONS. The supplemental appropriation estimate submitted by the President on Sept. 1 (H. Doc. 231). includes an item for \$1 million for the Commerce Department to improve the design and coverage of the science exhibits for the Century 21 Exposition to be held in Seattle, Wash.
11. TRANSPORTATION. Sen. Kefauver expressed opposition to certain provisions of H. R. 6775, to provide for the operation of steamship conferences, as reported by the Commerce Committee and contended that the Commerce Committee "not only eliminated the antitrust provisions, it added new provisions which would make the cartels even more powerful than they have been in the past." Also, he inserted correspondence with the Attorney General concerning provisions of the bill. pp. 17264-7 ;
12. FARM PROGRAM. Sen. Miller inserted a newspaper article, "Blight Upon the Farm," which "deals with statements, purportedly emanating from the Department of Agriculture, to the effect that there should be land reform in agriculture in the United States." p. 17279
13. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the calendar will be called today, Sept. 7, and that the steamship conference bill will be considered later this week. pp. 17202, 17253-4

HOUSE

14. APPROPRIATIONS. The Appropriations Committee reported H. R. 9076, the public works appropriation bill (H. Rept. 1125). p. 17159
15. LANDS. Passed with amendment H. R. 4939, to provide for the conveyance by the Farmers Home Administration of all right, title, and interest of the U. S. in a certain tract of land in Jasper County, Ga., to the Jasper County Board of Education. Agreed to an amendment by Rep. Vinson to provide that the county must pay a "fair market value" for the land. pp. 17068-9

Passed as reported H. R. 6630, relating to conveyances of certain parts of rights-of-way by railroad companies. pp. 17083-5

Passed without amendment H. R. 7888, to extend the time within which land in certain reservoir projects in Texas may be reconveyed to the former owners thereof. p. 17085

16. CENTENNIALS. Passed without amendment S. J. Res. 98, to provide for the observance of the centennial of the enactment of the Homestead Act. This bill will now be sent to the President. p. 17075

17. TRANSPORTATION. Passed without amendment S. 1368, to provide for licensing independent ocean freight forwarders. This bill will now be sent to the President. p. 17092

The Rules Committee reported a resolution for the consideration of S. 320, to amend the Interstate Commerce Act so as to permit State commissions to grant the right to motor common carriers operating within a single State to engage in interstate or foreign operations within the boundaries of the State in which intrastate authority is being simultaneously authorized, and to authorize ICC to issue certificates of registration to existing carriers engaged in interstate operations under part II of the Act. p. 17159

18. EDUCATION. By a vote of 378 to 32, passed under suspension of rules H. R. 9000, to extend for two additional years the expired provisions of Public Laws 815 and 874, 81st Congress, (regarding aid for federally impacted areas), and the National Defense Education Act of 1958. pp. 17094-108

19. FOREIGN TRADE. The Banking and Currency Committee reported with amendments S. 2325, to amend the Export-Import Bank Act of 1945 (H. Rept. 1126). p. 17159

20. CULTURAL EXCHANGES. By a vote of 329 to 66, passed under suspension of the rules H. R. 8666, to provide for the improvement and strengthening of the international relations of the U. S. by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges. pp. 17119-31

21. BOTANIC GARDENS. At the request of Rep. Gross, passed over without prejudice H. R. 5628, to provide for a study and investigation of the desirability and feasibility of establishing and maintaining a National Tropical Botanic Garden. p. 17070

22. EASEMENTS. At the request of Rep. McIntire, passed over without prejudice H. R. 8355, to authorize executive agencies to grant easements in, over, or upon real property of the U. S. under the control of such agencies. p. 17078

23. WATERSHEDS. At the request of Rep. Anderson, Minn., passed over without prejudice H. R. 3801, to authorize the Secretary of the Army and the Secretary of Agriculture to make joint investigations and surveys of watershed areas for flood prevention or the conservation, development, utilization, and disposal of water. p. 17091

24. PEACE CORPS. The "Daily Digest" states that the Rules Committee "granted an open rule ... on H. R. 7500, to provide for a Peace Corps to help the peoples of interested countries and areas in meeting their needs for skilled manpower." p. D816

CENTENNIAL OF ENACTMENT OF HOMESTEAD ACT

The Clerk called the joint resolution (S.J. Res. 98) to provide for the observance of the centennial of the enactment of the Homestead Act.

There being no objection, the Clerk read the joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested (1) to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act, and calling upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, particularly in the States most directly affected by the Homestead Act, to observe such centennial by appropriate celebrations and ceremonies; and (2) to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

(Mr. WEAVER asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. WEAVER. Mr. Speaker, I welcome this opportunity to express my support and urge passage of Senate Joint Resolution 98, a bill to authorize and request the President to proclaim 1962 Homestead Act Centennial Year. This resolution is identical with one I introduced in the House, House Joint Resolution 442 but to save time and expedite matters, it was felt by the Committee on the Judiciary that the Senate resolution should be taken up at this time instead of my bill. I would like to say that I worked closely with those interested in the Homestead Act celebration and that the two bills were introduced the same day.

The need for passage during this session of Congress stems from two facts. First of all, the centennial celebration would be proclaimed for the entire year, 1962, and this session will be our last opportunity to request this proclamation. Second, I know there are year-long celebrations planned to commemorate this historic event and enactment of this resolution must come now in order to lend the support of the Congress, the Executive, and the American people to these celebrations.

Mr. Speaker, I have a special interest in this legislation because the first homestead patent was issued to one Daniel Freeman, a Union soldier on leave, in Gage County which lies within the First Congressional District of Nebraska. However, this matter goes far beyond sectionalism of any kind. The significance of the Homestead Act is that, by all standards, it was one of the most forward-looking, far-reaching pieces of legislation enacted by any parliamentary body in the civilized world.

For instance, it is significant that the first patent, issued to Daniel Freeman, went to a soldier serving his Nation. Freeman was the forerunner of thousands upon thousands of veterans who have been rewarded by their country for the services they rendered in time of war. To these veterans acceptance of a land patent under the Homestead Act meant the beginning of a new life, a life of free-

dom which gave them full opportunity to express their individualism and to develop to their fullest potential.

Between issuance of that first patent to Daniel Freeman in Gage County and June 30, 1960, 1,466,033 patents were issued. They cover some 248,015,473 acres. The significant figure here is not the vast acreage covered but rather the tremendous number of patents issued. The million and more Americans who received these patents were the men and women who became the backbone of our American development, economically, socially, and to a great extent, morally, during the decades which followed.

During the past 100 years there has been a great deal of talk about land reform. It has been the slogan of revolutionary parties in all parts of the world. And yet, right here in America there developed quietly but effectively—without slogan—the greatest, most magnificent and lasting land reform in the history of mankind.

The Homestead Act was no mere means of disposing of land. It was a vehicle by which our Congress and Government provided new hope, new inspiration to the artisan and laborer faced with the devastating effects of the industrial revolution. It provided hope and inspiration for the small landholder deeply concerned by the trend to plantation and absentee landlord agriculture.

The Homestead Act fulfilled that hope and promise. For those who availed themselves of the opportunity, a new life opened. This new life not only benefited them; it led in large part to the greatness of our land.

Mr. Speaker, I do not believe that many persons in the uncommitted and backward nations of the world fully comprehend the significance of this act of greatness. I doubt seriously if many of their leaders even know that the Homestead Act was even written. They should know about it because it would, I think, give a real boost to the regard in which free institutions of our American society are held in these areas.

The operation of the Homestead Act which provided homes and farms for over a million Americans provides a clear contrast between democracy at work and the brutal collectivization which is presented as land reform by the Communist world.

This resolution, if enacted, would provide our country with a dramatic, effective method to bring home to these uncommitted millions the difference in approach between free men and totalitarians.

For these reasons, Mr. Speaker, I most respectfully urge prompt and favorable action on Senate Joint Resolution 98.

The joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESIDUAL RIGHTS IN LAND IN FLORIDA

The Clerk called the bill (H.R. 7832) to amend the act of July 2, 1948, so as to repeal portions thereof relating to

residual rights in certain land on Santa Rosa Island, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subparagraph e of the first section and the first sentence of section 3 of the Act entitled "An Act to authorize the Secretary of the Army to sell and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Florida, and for other purposes", approved July 2, 1948 (62 Stat. 1229), are hereby repealed.

(b) The Secretary of the Army shall issue such written instruments as may be necessary to bring the conveyance made to Okaloosa County, Florida, on May 22, 1950, under authority of the Act of July 2, 1948, into conformity with the amendment made by subsection (a) of this section.

SEC. 2. The first section of this Act shall take effect on the date the county of Okaloosa, Florida, shall pay to the Secretary of the Army the fair market value, as of May 22, 1950 (as determined by the Secretary), of the property interest authorized to be conveyed to such county under the first section of this Act.

With the following committee amendment:

Page 1, strike out all of lines 3 through 9 and insert in lieu thereof the following:

"That (a) the first sentence in the first section of the Act entitled 'An Act to authorize the Secretary of the Army to sell and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States, including any restriction on use thereof, in and to a portion of Santa Rosa Island, Florida, and for other purposes', approved July 2, 1948 (62 Stat. 1229), is hereby amended by striking the words 'for recreational purposes'. Subparagraphs a, e, and g of the first section, and all of sections 2 and 3 of the Act are thereby repealed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE NATIONAL SCIENCE FOUNDATION ACT

The Clerk called the bill (H.R. 8556) to amend the National Science Foundation Act of 1950 to require certain additional information to be filed by an applicant for a scholarship or fellowship, and for other purposes.

The SPEAKER pro tempore. Is there objection to he present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, I would like to ask the author of the bill or some other member of the committee why in this proposal we are abolishing or limiting the non-Communist disclaimer affidavit whereas in another bill that is to be before us this afternoon to extend the Defense Education Act we are retaining such a provision?

Mr. GEORGE P. MILLER. The only reason is that this bill arises from an unfortunate incident where a young man was awarded a scholarship, but without the knowledge of the National Science Foundation had been in contempt of

Congress and had been convicted. The committee worked very hard and very long and worked out a plan whereby it would be a felony to withhold any information of this nature including any previous convictions. In this case we have eliminated misdemeanors where fines of less than \$25 were involved where there was no penalty invoked. It is ironclad now, under provision of the bill we cannot have a repetition of this case. It was established by the committee that the oath is not necessary.

Mr. FORD. I would like to ask two questions: One, Will the provision that is included in the proposed legislation permit the remedial action against the young man who was involved in this instance mentioned by the gentleman from California?

Mr. GEORGE P. MILLER. It was already revoked. The scholarship was revoked before it went into effect.

Mr. FORD. But this legislation will not in any way whatsoever impede executive action against incidents of this kind?

Mr. GEORGE P. MILLER. In no way that I know of.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I have asked the National Science Foundation to bring to the attention of the Justice Department that this Edward Yellin, at the time that he applied for a job with the steel corporation, had said he was a mechanic's assistant in Lansing, Mich. When he applied for a National Science Foundation scholarship, he swore he was then attending the College of the City of New York in New York in the same period, which would seem on its face to be a violation of our statutes and he is guilty of perjury. There has been no action taken on that yet by the Justice Department. I hope there is.

In answer to the gentleman's first question, I would like to refer him to page 2 of the report, which says under "section I" that we have substituted a new provision, subsection (d) (2), "which would make it a crime punishable by a fine of not more than \$10,000, or imprisonment not more than 5 years, or both, for any member of any organization registered or ordered to register under section 3 of the Subversive Activities Control Act of 1950, with knowledge or notice of such registration or order, to apply for, use, or attempt to use any National Science Foundation scholarship or fellowship award."

We have made specific provision that if even the application is made, let alone the scholarship be granted or used, there is this criminal penalty.

Mr. FORD. My second question is whether this new provision conforms to the amendment which was made in the Taft-Hartley Act in 1959.

Mr. GEORGE P. MILLER. Yes, it does.

Mr. FORD. It is identical.

Mr. GEORGE P. MILLER. The precedent for this provision of criminal penalties for an affidavit is contained in the provisions of the 1959 amendments to

the Taft-Hartley Act, after which it is patterned.

Mr. FULTON. It is the 1959 amendments and not the Taft-Hartley Act.

Mr. GEORGE P. MILLER. Yes, as I said, it is contained in the provisions of the 1959 amendments to the Taft-Hartley Act.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, further reserving the right to object, in reading the report, I was shocked by the language of the telegram which the National Science Foundation sent to this man, in view of his record, in which the National Science Foundation said, "We regret to advise you that your scholarship has been revoked." That is strange language to a man who is in contempt of the Congress, and who refused to answer questions with respect to whether he is a Communist or associated with subversives.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I think if the gentleman would read the hearings conducted by the Committee on Un-American Activities concerning the manner in which the National Science Foundation operates, he will conclude, as I have, that the National Science Foundation just does not care whom they select or what the background of the selected individual is. They take the position that this man's "politics" is none of their concern.

Mr. GROSS. I certainly appreciate the statement of the gentleman.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. It must be said that the National Science Foundation does not favor the passage of this bill. The Science and Astronautics Committee drew up the bill without, shall we say, the concurrence of the National Science Foundation.

When questioning the Director of the National Science Foundation, I asked him if, under present law, the Foundation knew that Edward Yellin had been convicted of refusing to answer the House Committee on Un-American Activities whether he was a Communist and was later convicted of contempt of Congress, would they again give him a fellowship? The answer was, "Yes, we would give him the fellowship."

My comment was that we must then change the statutory provisions to make clear the intent of the Congress. We must make it clear that people of this type are not to get such awards. In fact, the National Science Foundation said at the time that the only reason Edward Yellin was not getting the fellowship, after being convicted of contempt of Congress and sentenced to the Federal penitentiary for a year, is not the fact that he was convicted, it was because he could not serve out the fellowship at the same time that he was serving time in the Federal penitentiary.

That is quite a remarkable statement. It was because of the man's inability to

take the fellowship because he might be confined that the National Science Foundation revoked the fellowship. It was not revoked because it was wrong to be held in contempt of Congress. I asked was it not prima facie that a man, held to be in contempt of Congress and sentenced to the Federal penitentiary for a year, should be denied the right to receive a Federal grant or fellowship of \$3,800. The National Science Foundation could not answer that question. I should like to ask the gentleman from Pennsylvania, my good friend, Mr. WALTER, if he agrees with me on this unfortunate attitude of the National Science Foundation?

Mr. WALTER. I do not think the gentleman from Pennsylvania has gone as far as I would go as to their attitude, if having had these people before you, you had the opportunity to deal adequately with, shall we say, the lax attitude that they showed toward people who are undoubtedly card-carrying, hard-boiled Communists. This fellow, Yellin, was not one of those frustrated idealists. He was an agent of Soviet Russia.

Mr. FULTON. So far as I know, the Department of Justice has taken no action against this man by bringing charges against him, even though the National Science Foundation, at our prodding, called the case to the attention of the Department some weeks ago.

I have one other question I would like to ask the gentleman from Pennsylvania.

How many other people, such as Edward Yellin, who belong to subversive organizations listed by the Attorney General to your knowledge as chairman of the House Committee on Un-American Activities have been considered or have received fellowships or scholarships from the National Science Foundation?

Mr. WALTER. Our inquiry has not been completed, but there are others, I think three, that we have discovered, and we are going to continue to find out who they are.

Mr. FULTON. Therefore, in addition to Edward Yellin, there are still pending three cases of people belonging to subversive organizations, who have received fellowships from the National Science Foundation; is that correct?

Mr. WALTER. That is correct.

Mr. ROUDEBUSH. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

(Mr. ROUDEBUSH asked and was given permission to extend his remarks at this point in the Record.)

Mr. ROUDEBUSH. Mr. Speaker, I rise in support of H.R. 8556, a bill to amend the National Science Foundation Act of 1950. The provisions of this bill will tighten controls against Communists and assorted fellow travelers who apply for scholarship and fellowship scientific study grants.

Members of this body are well aware of the openly announced Communist objective of internal subversion and infiltration of our youth centers and organizations. America's college and univer-



Public Law 87-272
87th Congress, S. J. Res. 98
September 22, 1961

Joint Resolution

75 STAT. 571.

To provide for the observance of the centennial of the enactment of the
Homestead Act.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is requested (1) to issue a proclamation designating the calendar year 1962 as the centennial of the enactment of the Homestead Act, and calling upon the Governors of the States, mayors of cities, and other public officials, as well as other persons, organizations, and groups, particularly in the States most directly affected by the Homestead Act, to observe such centennial by appropriate celebrations and ceremonies; and (2) to provide, in such manner as he deems appropriate, for participation by Federal agencies and officials in such observance.

Approved September 22, 1961.

